

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDIN ADGUSTO CHACON,

No. C 05-4880 SI (pr)

Plaintiff,

**ORDER RE. SERVICE OF PROCESS**

v.

D. GALLIAN, sergeant; et al.,

Defendants.

Defendants have filed a second request for an extension of time to file their dispositive motion. The request is DENIED. (Docket # 9.) See May 11, 2006 Order Extending Deadlines, p. 1:23-26. Nonetheless, the briefing schedule will have to be reset because plaintiff has now identified two more defendants who must be served with process.

Plaintiff filed an amended complaint that provided the true names for defendants previously referred to as John Doe # 1 and John Doe # 2. The Doe defendants' true names are E. B. Pearcey and L. W. Goulter, and both are employed as medical technical assistants at Pelican Bay State Prison. The court previously found that claims for relief had been stated against the two Doe defendants. Accordingly, the court now orders that service of process be done on those two individuals who have now been identified.

1. The clerk shall issue a summons and the United States Marshal shall serve, without prepayment of fees, the summons, a copy of the amended complaint, a copy of this order, and a copy of all the other documents in the case file upon E. B. Pearcey and L. W. Goulter, both of whom are employed as medical technical assistants at Pelican Bay State Prison.

2. In light of the need to serve process on the two newly identified defendants, the court vacates the existing briefing schedule and now sets the following briefing schedule:

a. Defendants must file and serve their dispositive motion no later than **October 6, 2006**. If defendants are of the opinion that the case cannot be resolved by dispositive motion, they must file and serve such a notice by the deadline.


b. Plaintiff must file and serve his opposition to the dispositive motion no later than **November 10, 2006**.

c. If defendants wish to file a reply brief, they must file and serve their reply brief no later than **November 30, 2006**.

3. If plaintiff has not yet done so, he must send a copy of his amended complaint (received by the court on June 26, 2006), to defense counsel no later than **August 31, 2006** and file a proof of service showing that he did so.

IT IS SO ORDERED.

Dated: August 2, 2006

  
 SUSAN ILLSTON  
 United States District Judge